

**MINUTES OF THE CITY OF FONTANA  
REGULAR PLANNING COMMISSION MEETING  
January 20, 2015  
Grover W. Taylor City Council Chambers**

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**CALL TO ORDER/ROLL CALL:**

**A. 6:00 P.M. Call to Order/Roll Call**

A regular meeting of the City of Fontana Planning Commission was held on Tuesday, January 20, 2015, in the Grover W. Taylor Council Chambers, 8353 Sierra Avenue, Fontana, California. Chairperson Cothran called the meeting to order at 6:05 p.m.

Present: Chairperson Cothran, Secretary Garcia and Vice-Chairperson Meyer.

Absent: None

Also Present: Community Development Director James Troyer, AICP; Planning Manager Zai AbuBakar; Attorney Andrew D. Maiorano; Associate Planner Paul Gonzales; Assistant Planner Salvador Quintanilla, Assistant Planner Rina Leung; Senior Engineer Kathy Raasch; Associate Planner DiTanyon Johnson; Assistant Engineer Keith Toliver; Transportation Engineering Manager Kevin Ryan; Policing Technician Wendy Ratcliffe; Fire Prevention Supervisor Adam Panos, City Clerk Tonia Lewis and Planning Commission Secretary Ysela Aguirre

**INVOCATION/PLEDGE OF ALLEGIANCE:**

**A. Invocation/Pledge of Allegiance**

Following the Invocation given by Vice-Chairperson Meyer, the Pledge of Allegiance was led by Secretary Garcia.

**SPECIAL PRESENTATIONS:**

**A. Special Presentation for former Planning Commissioners:**

The Planning Commission recognized former Planning Commissioners Jesse Armendarez and Matthew Slowik for their service to the Planning Commission.

## **PUBLIC COMMUNICATIONS:**

### **A. Public Communications**

Matthew Slowik spoke on the fundraising event on February 11, 2015, to benefit the Fontana Middle School Travel Club, Burger and McNugget Challenge at McDonald's on Foothill and Citrus Avenues. Mr. Slowik invited the Planning Commissioners to participate in the challenge.

## **CONSENT CALENDAR:**

### **A. Approval of Minutes**

Approve the Planning Commission Minutes of December 16, 2014.

A motion was made by Vice-Chairperson Meyer and seconded by Secretary Garcia to approve the minutes of the December 16, 2014, Planning Commission Meeting. Motion passed by a vote of 3-0.

## **PUBLIC HEARINGS:**

### **A. Master Case No. 14-007 (Design Review No. 87-053R1), Facade Modification for the Foothill Cape Apartment, Continued from the December 2, 2014, Planning Commission Meeting**

Discussion was held on the amenity improvements. Staff is comfortable with this project and the timeframes provided by the applicant. If they are not abided by, Code Enforcement can cite the applicant and they will incur additional fees.

Discussion was held on the Planning Commission being provided a progress report as the amenities are completed.

Discussion was held on what changes were added based on discussion at prior meetings.

Discussion was held on changing the style from Cape Cod to Post Modern.

Discussion was held on the roof shingles. They are not upgrading from asphalt to tile due to the weight on the structure. Per Adam Panos, Fire Department, it is allowed per Building Code.

Discussion was held on the stucco on the second floor.

Discussion was held on phasing being done to help the developer get things done.

The Public Hearing was opened.

Speaking for the applicant, Frank Kronen, spoke on changing the 90-day phases to 60-day phases to cut down the time of construction.

Applicant has read and agreed to the conditions of approval.

No member of the audience spoke in favor or opposition.

The Public Hearing was closed.

**ACTION:** Motion was made by Commissioner Meyer and seconded by Commissioner Garcia to 1) Determine that the project is Categorically Exempt pursuant to Section No. 15301, (Class No. 1, Existing Facilities) of the California Environmental Quality Act and direct staff to file a Notice of Exemption; and 2) Approve Design Review No. 87-053R1 with a change to phasing time from 90-days to 60-days and a progress report from staff in six months. Motion passed by a vote of 3-0.

**B. Master Case No. 14-059 (Design Review No. 14-023), 14-unit Apartment Complex**

Staff received two phone calls and one office visit regarding this project.

Discussion was held on the look of the original structures.

Discussion was held on the upgrade of the two houses matching the apartment buildings in the back.

The Public Hearing was opened.

Speaking for the applicant, Shareef Awad, spoke on the two houses in the front matching the other houses in the area and being left in place to save on some costs. The houses will have veneer rock all the way around.

Discussion was held on having a leasing agent or manager in the unit next to the office.

Policing Technician Wendy Ratcliffe spoke on the applicant meeting all of the Police Department's requests.

Engineer Kathy Raasch spoke on an on-going traffic issues and evaluating the area of South Tamarind Elementary School, but this project did not warrant a traffic study.

Bob Copeland, Fontana Unified School District Director of M & O, saw no problems with this project; overcrossing is not a problem for the school.

Jeffery Griffith, who lives in the neighborhood where the project is proposed,

spoke in opposition to the project, including school traffic and traffic from the existing church in the neighborhood.

Engineer Raasch spoke on not having any record of citizen concerns regarding the church impact. Staff is willing to go out and take some traffic counts to see if there are any traffic calming measures needed. There may be existing conditions that do not have anything to do with this project.

Discussion was held on the Apartment Program participation being a condition of approval – there must be a property manager on site, a unit must be assigned to a manager for 24 hour access; on site security guard may be required in case of high calls of service.

The Public Hearing was closed.

Discussion was held on areas of concern being addressed.

**ACTION:** Motion was made by Commissioner Garcia and seconded by Commissioner Meyer to 1) Determine that the project is Categorically Exempt pursuant to Section No. 15332, Class No. 32 (Infill Development Projects) of the California Environmental Quality Act and Direct staff to file a Notice of Exemption; and 2) Approve Design Review No. 14-023. Motion passed by a vote of 3-0.

**C. Master Case No. 14-079 - Conditional Use Permit No. 14-033 and Administrative Site Plan No. 14-038 (Transwest Ford)**

Staff recommends that the Planning Commission continue this item to a date uncertain.

**ACTION:** Motion was made by Commissioner Meyer and seconded by Commissioner Garcia to continue this item to a date uncertain. Motion passed by a vote of 3-0.

**D. ASP 14-007, CUP 14-007 for Valero Service Station and CUP 14-008 for ABC License**

Planner Gonzales provided two corrections as follows:

- Page 81 of the staff report states “The Conditional Use Permit shall be considered null and void 18 months from the date of approval.” It should read “24 months”
- In the Findings for the Variance, it is noted that there is a variance for landscaping on the west side of the project site; it should read on the “east side”.

Discussion was held on Condition No. 26 and Condition No. 30 being the

same condition. Condition No. 26 will be stricken.

Discussion was held on the variations and justifying the variance if it is like a whole new project.

Discussion was held on the monument to be installed.

The Public Hearing was opened.

Speaking for the applicant, Jim Detweiler, spoke on completely redoing the property.

Applicant has read and agreed to the conditions of approval.

Discussion was held the hours of operation.

Discussion was held on not selling alcohol through the pass through window.

No member of the audience spoke in favor or opposition.

The Public Hearing was closed.

**ACTION:** Motion was made by Commissioner Meyer and seconded by Commissioner Garcia to 1) Determine that the project is Categorically Exempt pursuant to Section No. 15315, Class 15, (Minor Land Divisions) of the California Environmental Quality Act, direct staff to file a Notice of Exemption; and 2) Approve Administrative Site Plan No. 14-007, Conditional Use Permit No. 14-007, Conditional Use Permit No. 14-008 and Variance No. 14-001 with the elimination of Condition No. 26 and other conditions renumbered. Motion passed by a vote of 3-0.

**E. General Plan Amendment No. 14-004, General Plan Amendment No. 14-005, Zone Change No. 14-005, Zone Change No. 14-006, Conditional Use permit No. 14-019, Design Review No. 14-013 (MCN No. 14-042) 763,283 square foot warehouse**

A recess was called at 7:35 p.m.

The meeting was reconvened at 7:44 p.m.

Correction was made to the location of the art feature; it will be on the northwest corner of the property.

Transportation Engineer Manager Kevin Ryan spoke on the landscaping and the different factors that the developer is dealing with on their side of the street. Once the landscaping is matured, it will be less brown.

Discussion was held on landscaping.

Discussion was held on the master planning for Mango Avenue. Engineer Kathy Raasch spoke on the applicant's proposal for Mango Avenue not affecting any traffic because Mango Avenue was not planned to go through due to connectivity issues.

Discussion was held on the designated truck routes.

Discussion was held on the traffic compliance of 80/20. Engineer Raasch will analyze actual numbers and be prepared to make a recommendation for the Planning Commission's approval.

Discussion was held on conducting a traffic study at developer's expense.

Discussion was held on the EIR on the project to the north anticipating Mango Avenue being a private street.

Discussion was held on Mango Avenue being previously treated as a public street, but is now being treated as a private road.

Discussion was held on the water site assessment.

Discussion was held on Sierra Avenue being the dividing line for the West Valley Water Company.

The Public Hearing was opened.

Speaking for the applicant, Dan Floriani, spoke on this being an important project and has a team here today to get all questions answered.

Applicant addressed concerns regarding Mango Avenue. Mango Avenue is being designed in a way to be a unique street to attract a tenant to use it as the primary egress/ingress.

Discussion was held on the width of Mango Avenue.

Chairperson Cothran disclosed that he met with Mr. Floriani and Mr. Allard with no reportable action.

Applicant spoke on the landscaping.

Ray Allard, Civil Engineer, spoke on the plan giving a larger parkway back to buffer development from Rialto.

Discussion was held on no sidewalk along Mango Avenue through the

property; applicant is trying to eliminate pedestrian traffic from going along with truck traffic.

Discussion was held on how the building would be divided if there were two tenants.

Discussion was held on the cul-de-sac easement granted to the city being designated as public.

Discussion was held on a reciprocal easement.

Discussion was held on the parking lots.

Discussion was held on a traffic report every six months for five years.

Condition 41B will be revised to read as follows:

"The property owner shall ensure that the project's truck traffic entering and exiting the project site complies with the traffic distribution patterns identified in the approved traffic study for the project (80/20). The property owner shall fund a focused ingress and egress traffic study for the project site to be prepared by the City to determine that the number of truck trips and traffic distribution patterns for Sierra Avenue and Mango Avenue are consistent with those identified in the approved traffic study based on the following milestones:

- Within six (6) months after the project is open for business
- Annually after the first item above for a five-year period unless otherwise determined by the "City Engineer"

In addition, the word "remedy" will be added as follows "...the project will be brought back to the Planning Commission for discussion, review and remedy."

Zack Hovav spoke in opposition to the project.

Applicant spoke on trying to work with Mr. Hovav by offering an easement of 20 feet to allow him to build a roadway to his property.

Applicant spoke on working with City staff on a reciprocal access agreement.

Discussion was held on the City ordinance regarding the use of drought tolerant landscaping.

Engineer Manager Kevin Ryan spoke on the calculations of the drought tolerant landscaping ordinance that is used to calculate how much water is being used.

Discussion was held on the ground cover spacing; tree spacing requirements; and the applicant being bound by state and city ordinances. City ordinance calls for ground cover to come together within one year.

Planner Leung spoke on working with the applicant on alternatives being pursued for the decorative rock feature that is not part of this project.

Mark Nuaimi spoke in favor of the project and shared some history on the development in the project's area.

The Public Hearing was closed.

**ACTION:**

A motion was made by Vice-Chairperson Meyer and seconded by Secretary Garcia to adopt Resolution No. PC 2015-01, and forward a recommendation to the City Council to: 1) Adopt a resolution to certify the EIR adopt a Statement of Overriding Consideration, a Mitigation Monitoring and Reporting Program, and a Statement of Facts and Findings, and direct staff to file a Notice of Determination; 2) Adopt a resolution approving General Plan Amendment No. 14-004; 3) Adopt a resolution approving General Plan Amendment No. 14-005; 4) Adopt an Ordinance approving Zone Change No. 14-005; 5) Adopt an Ordinance approving Zone Change No. 14-006; and 6) Approve Conditional Use Permit No. 14-019 and Design Review No. 14-013 subject to the attached Findings and Conditions of Approval with the addition of Condition Nos. 41A and 41B (including revised language) with a recommendation for staff and the applicant to work on a reciprocal agreement. Motion passed by a vote of 3-0.

A motion was made by Vice-Chairperson Meyer and seconded by Commissioner Garcia to extend the meeting to 10:05 p.m. Motion passed by a vote of 3-0.

**DIRECTOR COMMUNICATIONS:**

**A. Director Communications**

The Planning Commission reviewed an update of future City Council Agenda items for the January 27, 2015 and February 10, 2015, meetings for the Planning Commission's information; and an update of future Planning Commission items for the February 3, 2015 and February 17, 2015, for the Planning Commission's information.

Discussion was held on the workshops of February 3, 2015, being held after the regular Planning Commission meeting.

Discussion was held on the 376 single-family residential project on Citrus Avenue being a revision to a previously approved project.

Discussion was held on the City Council Joint Workshop on February 10, 2015.

## **COMMISSION COMMENTS:**

### **A. Planning Commission Remarks**

Secretary Garcia wished Fontana Resident, Marcella Alley, a happy 107<sup>th</sup> birthday.

Vice-Chairperson Meyer wished everyone a happy new year.

Vice-Chairperson Meyer congratulated Mr. Slowik and Mr. Armendarez on their Fontana School Board appointment.

Vice-Chairperson Meyer wished everyone a good evening.

Chairperson Cothran announced that Miss Fontana registration is available at [www.MissFontana.com](http://www.MissFontana.com).

Director Troyer volunteered to be a Miss Fontana sponsor.

## **ADJOURNMENT:**

By consensus, the Planning Commission adjourned at 9:58 p.m. to the regularly scheduled Planning Commission meeting on Tuesday, February 3, 2015, at 6:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.



Ysela Aguirre  
Commission Secretary

**THE FOREGOING MINUTES WERE APPROVED BY THE PLANNING COMMISSION ON THE 3rd DAY OF FEBRUARY, 2015.**

Phil Cothran

Phil Cothran  
Chairperson